

Memo

To: Clarence Town Board

From: James Callahan, Director of Community Development

cc: Town Attorney, Town Clerk, Town Engineer, Senior Code Enforcement Officer, Planning Board Members, Chamber of Commerce

Date: May 18, 2017

Re: May 24, 2017 Town Board Meeting Agenda

Following is a review/analysis of the items listed on the May 24, 2017 Town Board Agenda:

FORMAL AGENDA ITEMS:

1. DR. KHAWAR, 8433 MAIN STREET.

Location: South side of Main Street west of Harris Hill Road.

Description/History: Existing medical office building located within the Harris Hill Traditional Neighborhood District.

Proposal: Applicant is proposing a small front entrance addition.

Comprehensive Plan: Area identified within the Harris Hill TND.

Reason for Town Board Action: Per the Zoning Law the Town Board has final approval authority for architectural design within the TND

Issues: Use and small addition meets all setbacks and code requirements. Update to property should include a parking lot update to eliminate the existing pull-in parking along Main Street. Referral to the Planning Board for site plan approval is in order to address the parking situation.

2. ANNUAL TEMPORARY CONDITIONAL PERMIT RENEWALS.

Attached is a list of TCP's up for renewal in 2017 identifying previous terms and conditions. Initially the town Board will need to set a public hearing date to consider the renewals.

3. BRETT VOGEL, 8670 COUNTY ROAD.

Location: North side of County Road east of Green Acres Road.

Description/History: Existing renovated barn located in the Agriculture Rural Residential Zone.

Proposal: Applicant is proposing a farm stand/market.

Comprehensive Plan: Area identified in an agricultural zone.

Reason for Town Board Action: As the project will involve items for sale that are not all grown on the property, the Town Board may consider a Temporary Conditional Permit to guide the use.

Issues: After meeting with the Planning Board, the applicant has modified the proposal to eliminate the kitchen portion. He has also moved seating area to the rear away from County Road. The Planning Board has forward a recommendation with conditions on the application. A public hearing will be required to consider the TCP.

4. SATELLITE ANTENNA AND TOWER LOCAL LAW (CHAPTER 173).

The Planning Board has forwarded a recommendation to adopt a Wind Energy Conversion Section to the Satellite Antenna and Tower Law. An action under SEQRA has been taken and the town Board is free to establish a public hearing date to consider adoption of this proposed amendment.

WORK SESSION ITEMS:

1. MATTHEW MOYER, SOUTHEAST CORNER OF GOODRICH ROAD AND LAPP ROAD

Location: Southeast corner of Goodrich Road and Lapp Road.

Description/History: Existing vacant property consisting of 25 +/- acres in the Agriculture Rural Residential Zone.

Proposal: Applicant is seeking approval to subdivide the property to create 5 building lots.

Comprehensive Plan: Area identified in an agricultural classification.

Reason for Town Board Action: Per the Subdivision Law, the Town Board has the authority to vary the strict application of the Subdivision Law via a supermajority approval.

Issues: The Planning Board has issued a Negative Declaration under SEQRA. As a major subdivision, section 193-21E, requires a shared driveway access for more than 3 lots along a county road. As the applicant is not desirous of constructing any common infrastructure and the Town would prefer avoiding additional access points to Goodrich Road, the variance is being requested. The Planning Board has forwarded the following conditions for consideration of the variance: 1. Limit access to Goodrich Road to 1 curb cut. 2. No future re-subdivisions or additional lot splits. 3. Town Engineering Department review and

approval of any required stormwater management plans. 4. Drainage easements for future Town Highway Dept. access. 5. Erie county approvals for highway access, on-site sanitary. 6. Building Dept. approval of future building permits. 7. Open Space and recreation Fees on future building permits.

2. BEVILACQUA DEVELOPMENT CO., 6031 TRANSIT ROAD.

Location: East side of Transit Road north of Clarence Center Road.

Description/History: Existing vacant property located in the Commercial Zone, former Buggy Wash carwash.

Proposal: Applicant is seeking approval to construct a new retail/restaurant plaza.

Comprehensive Plan: Area identified in a commercial zone.

Reason for Town Board Action: Drive-thru facilities require a Special Exception Use Permit as approved by the Town Board.

Issues: The Planning Board has issued a Negative Declaration on the project and approved the Concept Plan.

3. BROOKFIELD COUNTRY CLUB, 5120 SHIMERVILLE ROAD.

Location: West side of Shimerville Road south of Greiner Road.

Description/History: Existing country club located in the Residential Single Family Zone.

Proposal: Applicant is proposing fireworks displays on July 4, July 8, July 15, and September 2.

Reason for Town Board Action: Per Local and NYS Law the Town Board has authority to approve display permits.

Issues: All fees, bonds, insurance and Fire Chief Approvals are in order.

4. CLARENCE HOLLOW ASSOCIATION/CLARENCE MAIN STREET TOWN PARK.

Location: South side of Main Street east of Shisler Road.

Description/History: Existing park and annual special event.

Proposal: Applicant is proposing a fireworks display for July 3.

Reason for Town Board Action: Per Local and NYS Law the Town Board has authority to approve display permits.

Issues: All fees, bonds, insurance and Fire Chief Approvals are in order.

5. VISION MAIN STREET PLAN ADOPTION.

Location: Main Street Corridor in the Town of Clarence.

Description/History: Proposed plan for the redevelopment of the Main Street Corridor.

Proposal: to adopt the plan as prepared and forwarded from the Clarence IDA.

Comprehensive Plan: The proposed Vision Main Street Plan would be complimentary to Clarence 2030 and would be adopted as a supplement to the overall comprehensive plan.

Reason for Town Board Action: The Town Board has authority to adopt amendments to Clarence 2030.

Issues: The IDA has adopted the plan and has recommended the adoption to the Town Board.